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December 2, 2013

VIA ELECTRONIC FILING

Honorable Dora L. Irizarry, U.S.M.J.
United States District Court
Eastern District of New York
United States Courthouse, Room 928S
225 Cadman Plaza East
Brooklyn, New York 11201

Jennifer L. Bougher

Counsel
212.457.5411 DIRECT
212.484.3990 FAX
jennifer.bougher@arentfox.com

Re: *DMJ Associates, LLC v. Carl A. Capasso, et al.*
Civil Action No.: 97-CV-7285 (DLI) (RML) (E.D.N.Y.)

Dear Judge Irizarry:

Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A) and Rule II(E) of your Individual Motion Practice and Rules, we write on behalf of Third-Party Plaintiffs Quanta Resources Corporation and Exxon Mobil Corporation (collectively, the "TPPs"), to request an extension of time for the TPPs to oppose the motion to dismiss made by Third-Party Defendant New York City Transit Authority ("NYCTA") and served on November 26, 2013 [Docket No. 1492], and for a corresponding extension of time for NYCTA to serve its reply. Specifically, the TPPs request that the deadline for serving opposition papers to NYCTA's motion be adjourned for 10 days, from December 10, 2013 until December 20, 2013, and that the deadline for NYCTA's reply be extended to January 7, 2014. These brief extensions are requested to accommodate the various conflicts created by the multiple federal and religious holidays occurring in November and December when each party would be in the process of preparing their papers (Thanksgiving for the TPPs; Christmas and New Year's for NYCTA), and also takes into account that, by virtue of this Court's November 12, 2013 Order, NYCTA received additional time to respond to the TPPs' Complaint. No previous requests for extensions have been made by any party in connection with this motion. NYCTA consents to the extension of time as set forth above.

Sincerely,

/s/ Jennifer L. Bougher

cc: All Counsel (via Electronic Filing)